

MAINE STATE LEGISLATURE

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Sixty-Sixth Legislature.

SENATE.

No. 180.

STATE OF MAINE.

HOUSE AMENDMENT "A" to HOUSE DOCUMENT No. 339.

Amend the third section as follows: in the nineteenth line thereof by striking out the word "accept" and inserting the word 'approve', and in the same line after the word "the" insert the words 'deeds in writing'.

In the twentieth (20th) line strike out "has" and insert in lieu thereof the word 'have'.

In the 29th line strike out "it" and insert 'them' in lieu thereof.

In the twenty-first line strike out the words "the Aqueduct Company" and insert the words 'either party'.

In the twenty-fourth line strike out the words "city of Auburn" and insert the words 'other party.'

In the twenty-fifth line substitute for the word “deed” the word ‘deeds.’

In the twenty-eighth line strike out “it” and insert in lieu thereof the word ‘them,’ and after the word “by” insert the word ‘the.’

In the thirty-first line strike out the word “ninety” and insert the word ‘thirty,’ and in the same line strike out the words “receiving such notice” and insert the words ‘approving said deeds,’ and also in same line strike out the words “of such.”

In the thirty-second line strike out the word “acceptance,” and insert after the word “or” the word ‘receiving,’ and in the same line after the word “approval” insert the words ‘by said judge.’

In the thirty-third line strike out the words “within thirty days,” so that said section as amended shall read as follows :

‘Section 5. Subject to the provisions hereinafter contained, the preceding sections of this act shall not take effect unless the Auburn Aqueduct Company shall within ten days after the approval of this act, accept in writing the offer made by the city of Auburn under the provisions of section eleven of chapter eighty-two of the Private and Special Laws of eighteen hundred and ninety-one, to purchase its property, franchise, rights and privileges. And said Auburn Aqueduct Company is hereby authorized to accept said offer with the same effect and upon the same terms, conditions and trusts as it might have accepted the same on or before February ninth, eighteen hundred and ninety-three. And if said company shall accept said offer it shall forthwith cause deeds of

15 transfer and conveyance to be made to the city or to the
16 trustee designated under said act, and file in the clerk's
17 office of the supreme judicial court for Androscoggin
18 county, for the inspection of the city of Auburn. And
19 if the city of Auburn do not approve the deeds in writing
20 as satisfactory within five days after they have notice that
21 the same have been filed with the clerk of courts, either
22 party shall then have the right to apply to any judge of
23 the supreme court at chambers and said judge, after
24 forty-eight hours notice to the other party shall hear the
25 parties and approve or disapprove of the deeds forthwith
26 and notify said Aqueduct Company and said city of
27 Auburn or trustee of his decision. Provided, that if the
28 judge holds such deeds improper, he shall order them
29 reformed by the company and upon such reformation
30 being made approve them; and also provided, that if
31 said city shall not, within thirty days after approving
32 said deeds in writing or receiving notice of approval by
33 said judge, receive such deeds and pay or cause to be
34 paid one hundred thousand dollars of the price named in
35 said offer, the balance to be paid within sixty days there-
36 after, and such deeds to remain in said clerk's hands as
37 an escrow, then all the other sections of this act shall
38 have the same effect as though this section did not exist.'

STATE OF MAINE.

IN SENATE, March 20, 1893.

**Pending adoption in concurrence, laid on table to be printed on motion
by Mr. LIBBY of Androscoggin.**

KENDALL M. DUNBAR, *Secretary.*